

FORTY-FIFTH DAY

(Wednesday, April 8, 1953)

The Senate met at 10:30 o'clock a. m., pursuant to adjournment, and was called to order by the President.

The roll was called and the following Senators were present:

Aikin	Moffett
Ashley	Moore
Bell	Parkhouse
Bracewell	Phillips
Colson	Rogers
Corbin	of Childress
Fuller	Rogers of Travis
Hardeman	Rutherford
Hazlewood	Sadler
Kazen	Secrest
Kelley	Shireman
Latimer	Strauss
Lock	Wagonseller
Martin	Weinert
McDonald	Willis

Absent

Russell

Absent—Excused

Lane

A quorum was announced present.

The Invocation was offered by the Reverend W. H. Townsend, Chaplain, as follows:

O God, Our Father, we are deeply grateful for men and women of vision—men and women who have conviction, courage and character. Teach us now that character is the result of things we do. Like the food we eat, it becomes a part of us, and is the only earthly possession we will take with us when we leave this world. We pray in Christ's name. Amen.

On motion of Senator Aikin, and by unanimous consent, the reading of the Journal of the proceedings of yesterday was dispensed with and the Journal was approved.

Leave of Absence

Senator Lane was granted leave of absence for today on account of important business on motion of Senator Martin.

Reports of Standing Committees

Senator Hardeman submitted the following reports:

Austin, Texas,
April 7, 1953.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Water Rights, Irrigation and Drainage, to whom was referred H. B. No. 476, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass as amended and be printed.

HARDEMAN, Chairman.

Austin, Texas,
April 7, 1953.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Water Rights, Irrigation and Drainage, to whom was referred H. B. No. 148, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

HARDEMAN, Chairman.

Austin, Texas,
April 7, 1953.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Water Rights, Irrigation and Drainage, to whom was referred S. B. No. 302, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

HARDEMAN, Chairman.

Austin, Texas,
April 7, 1953.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Water Rights, Irrigation and Drainage, to whom was referred S. B. No. 301, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

HARDEMAN, Chairman.

Senator Ashley submitted the following reports:

Austin, Texas,
April 8, 1953.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on High-

ways and Motor Traffic, to whom was referred H. B. No. 48, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

ASHLEY, Chairman.

Austin, Texas,
April 8, 1953.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Highways and Motor Traffic, to whom was referred S. B. No. 93, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do not pass and be not printed, but that Committee Substitute therefor, as amended, do pass and be printed.

ASHLEY, Chairman.

C. S. S. B. No. 93 was read first time.

Austin, Texas,
April 8, 1953.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Highways and Motor Traffic, to whom was referred S. B. No. 281, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do not pass and be not printed, but that Committee Substitute therefor do pass and be printed.

ASHLEY, Chairman.

C. S. S. B. No. 281 was read first time.

Austin, Texas,
April 8, 1953.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Highways and Motor Traffic, to whom was referred S. B. No. 280, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do not pass and be not printed, but that Committee Substitute therefor do pass and be printed.

ASHLEY, Chairman.

C. S. S. B. No. 280 was read first time.

Austin, Texas,
April 8, 1953.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Highways and Motor Traffic, to whom was referred H. B. No. 4, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do not pass and be not printed, but that Committee Substitute therefor, as amended, do pass and be printed.

ASHLEY, Chairman.

C. S. H. B. No. 4 was read first time.

Senator Fuller submitted the following reports:

Austin, Texas,
April 7, 1953.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Game and Fish, to whom was referred H. B. No. 24, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

FULLER, Chairman.

Austin, Texas,
April 7, 1953.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Game and Fish, to whom was referred S. B. No. 269, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

FULLER, Chairman.

Austin, Texas,
April 6, 1953.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Game and Fish, to whom was referred H. B. No. 520, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

FULLER, Chairman.

Senator Phillips submitted the following reports:

Austin, Texas,
April 8, 1953.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Oil,

Gas and Conservation, to whom was referred S. B. No. 214, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

PHILLIPS, Chairman

Austin, Texas,
April 8, 1953.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Oil, Gas and Conservation, to whom was referred S. B. No. 148, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do not pass but that the Committee Substitute as amended do pass in lieu thereof and be printed.

PHILLIPS, Chairman

C. S. S. B. No. 148 was read first time.

Message From the House

Hall of the House of Representatives,
Austin, Texas,
April 7, 1953.

Hon. Ben Ramsey, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following:

S. B. No. 98, A bill to be entitled "An Act to provide for the appointment of the Assessor-Collector of Taxes for Independent School Districts operating under the General Law; etc., and declaring an emergency."

S. B. No. 131, A bill to be entitled "An Act approving and adopting the Sabine River Compact; authorizing the Governor to appoint two Commissioners to administer the provisions of the Compact; providing for the fees and necessary expenses of the Commissioners; providing cooperation by the State Board of Water Engineers; providing this Compact not binding until ratified by Louisiana and the Congress; providing for certain notification by the Governor; and declaring an emergency."

S. B. No. 222, A bill to be entitled "An Act applicable to any city which has issued waterworks and sewer system and swimming pool revenue bonds reserving the right to issue additional bonds secured by and payable from revenues of the systems and swim-

ming pool and which has voted additional revenue bonds to be so payable and secured; etc., and declaring an emergency."

Respectfully submitted,

CLARENCE JONES,
Chief Clerk, House of Representatives.

Senate Resolution 212

Senator Colson offered the following resolution:

Whereas, We are honored today to have in the gallery the members of the Eighth Grade Class of the Navasota Public Schools of Navasota, Texas, accompanied by their teachers, Misses Ferne Eitel and Trannie Francklow, their Principal, Mr. Paul W. Manning, Mrs. Weldon Lucas, Mrs. Tom Moore and Mrs. Deanie McKay; and

Whereas, These students and guests are on an educational tour of the Capitol Building and the Capital City; and

Whereas, This fine class of young American citizens are here to observe and learn firsthand the workings of their State Government; now, therefore, be it

Resolved, That we officially recognize and welcome this class and commend them for their interest, and that a copy of this resolution, properly endorsed, bearing the official seal of the Senate, be mailed to them in recognition of their visit.

The resolution was read and was adopted.

Senator Colson presented the class, sponsors and teachers to the Members of the Senate.

(President pro tempore in Chair.)

Presentation of Guests

Senator Rogers of Travis by unanimous consent presented as guests of the Senate today the Sixth Grade of Wooldridge School of Austin and their teacher, Mrs. Allen Davis, to the Members of the Senate.

Senate Resolution 213

Senator Parkhouse offered the following resolution:

Whereas, The Judiciary Committee of the Senate of the United States is now conducting hearings on the merits of United States Senate Joint Resolution No. 1 calling for a constitutional amendment to make all treaties

subject and subordinate to the Constitution of the United States rather than superior to the Constitution as treaties now are; now, therefore, be it

Resolved, That the Senate of the State of Texas favors the passage of United States Senate Joint Resolution No. 1 in a form which will protect the constitutional rights of American citizens and the reserved constitutional powers of the States from the supremacy of Treaty Law; and, be it further

Resolved, That a copy of this resolution be sent to the President of the United States, the Secretary of State, and the chairman of the Judiciary Committee of the United States Senate.

PARKHOUSE KELLEY

Signed—Ben Ramsey, Lieutenant Governor; Aikin, Ashley, Bell, Bracewell, Colson, Corbin, Fuller, Hardeman, Hazlewood, Kazen, Lane, Latimer, Lock, Martin, McDonald, Moffett, Moore, Phillips, Rogers of Travis, Rogers of Childress, Russell, Rutherford, Sadler, Secrest, Shireman, Strauss, Wagonseller, Weinert, Willis.

The resolution was read.

On motion of Senator Hardeman, the names of the Lieutenant Governor and all the Senators were added to the resolution as signers thereof.

The resolution was then adopted.

Senate Bill 311 on First Reading

Senator Latimer moved that Senate Rule 114 and Section 5 of Article III of the State Constitution be suspended to permit his introducing at this time, a bill, the provisions of which he explained.

The motion prevailed by the following vote:

Yeas—29

Aikin	Moffett
Ashley	Moore
Bell	Parkhouse
Bracewell	Phillips
Colson	Rogers
Corbin	of Childress
Fuller	Rogers of Travis
Hardeman	Rutherford
Hazlewood	Sadler
Kazen	Secrest
Kelley	Shireman
Latimer	Strauss
Lock	Wagonseller
Martin	Weinert
McDonald	Willis

Absent

Russell

Absent—Excused

Lane

The following bill was then introduced, read first time and held by the President pro tempore for referral at a later date:

By Senator Latimer:

S. B. No. 311, A bill to be entitled "An Act authorizing and directing the execution and delivery by the Board of Texas State Hospitals and Special Schools, acting through the Executive Director thereof, of a right-of-way easement in certain lands in Bexar County, Texas, to the City of San Antonio for street purposes; stating certain conditions and covenants upon which the grant is made; and declaring an emergency."

Committee Substitute House Bill 100 on Second Reading

On motion of Senator Moffett, and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to third reading:

C. S. H. B. No. 100, A bill to be entitled "An Act amending Section 7 of Article 93b of Vernon's Texas Statutes; providing a saving clause; and declaring an emergency."

The bill was read second time.

Senator Aikin offered the following amendment to the bill:

Amend H. B. No. 100 by striking out the words "cumulative thereof" in line 62, page 2, and insert the following:

"in addition thereto for the biennium ending August 31, 1955. Thereafter, the number of employees and the salaries and travel allowance of each shall be as fixed in the biennial appropriation bill."

The amendment was adopted.

Senator Hardeman offered the following amendment to the bill:

Amend C. S. H. B. No. 100 by adding a new section to be known as Section 3a to read as follows:

Section 3a. This Act shall not apply

or be construed in such manner as to apply to any mixture or mixtures of any feed for livestock, swine or poultry or any other animals, birds, reptiles or fish upon the order or at the direction of an individual or association of individuals for his or their use in feeding any one or more of the aforesaid livestock, swine, poultry, animals, birds, reptiles and fish.

HARDEMAN
AIKIN

The amendment was adopted.

On motion of Senator Moffett, and by unanimous consent, the caption was amended to conform to the body of the bill, as amended.

The bill, as amended, was passed to third reading.

**Committee Substitute
House Bill 100 on Third Reading**

Senator Moffett moved that the Constitutional rule requiring bills to be read on three several days be suspended and that C. S. H. B. No. 100 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—28

Aikin	Moore
Ashley	Parkhouse
Bell	Phillips
Bracewell	Rogers
Colson	of Childress
Corbin	Rogers of Travis
Fuller	Russell
Hardeman	Rutherford
Kazen	Secrest
Kelley	Shireman
Latimer	Strauss
Lock	Wagonseller
Martin	Weinert
McDonald	Willis
Moffett	

Absent

Hazlewood Sadler

Absent—Excused

Lane

The President pro tempore then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—29

Aikin	Moore
Ashley	Parkhouse
Bell	Phillips
Bracewell	Rogers
Colson	of Childress
Corbin	Rogers of Travis
Fuller	Russell
Hardeman	Rutherford
Kazen	Sadler
Kelley	Secrest
Latimer	Shireman
Lock	Strauss
Martin	Wagonseller
McDonald	Weinert
Moffett	Willis

Absent

Hazlewood

Absent—Excused

Lane

House Bill 134 on Second Reading

On motion of Senator Rutherford, and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to third reading:

H. B. No. 134, A bill to be entitled "An Act to amend Section 1, Chapter 126, page 214, Acts of the 52nd Legislature, Regular Session, 1951, so as to provide that any corporation organized under the provisions of Chapter 77, Acts of the Thirty-ninth Legislature, Regular Session, 1925, as amended by the Forty-first Legislature, and the Forty-ninth Legislature, may make provisions for employees to purchase or take option to purchase shares of stock issued or unissued of such corporation, and/or of any such parent or subsidiary corporation at a price or prices equal to or less than the market value thereof at the time of such sale or the granting of such option, or the making of such allotment, as the case may be; providing the manner in which the option to purchase unissued shares shall be authorized; setting forth the rights of employee shareholders with reference to issued and unissued shares, and defining the term 'issued shares' and the term 'unissued shares'; providing that such allotment, sale and option of such shares shall be upon such terms and restrictions as its Board of Directors may prescribe; and declaring an emergency."

The bill was read second time and passed to third reading.

House Bill 134 on Third Reading

Senator Rutherford moved that the Constitutional rule requiring bills to be read on three several days be suspended and that House Bill No. 134 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—29

Aikin	Moffett
Ashley	Moore
Bell	Parkhouse
Bracewell	Phillips
Colson	Rogers
Corbin	of Childress
Fuller	Rogers of Travis
Hardeman	Russell
Hazlewood	Rutherford
Kazen	Sadler
Kelley	Secrest
Latimer	Shireman
Lock	Strauss
Martin	Weinert
McDonald	Willis

Absent

Wagonseller

Absent—Excused

Lane

The President pro tempore then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—30

Aikin	Moore
Ashley	Parkhouse
Bell	Phillips
Bracewell	Rogers
Colson	of Childress
Corbin	Rogers of Travis
Fuller	Russell
Hardeman	Rutherford
Hazlewood	Sadler
Kazen	Secrest
Kelley	Shireman
Latimer	Strauss
Lock	Wagonseller
Martin	Weinert
McDonald	Willis
Moffett	

Absent—Excused

Lane

Senate Resolution 214

Senator Bracewell offered the following resolution:

Whereas, The Key Clubs of Milby High School and Stephen F. Austin High School in the City of Houston, Harris County, Texas, are visiting in the Senate today; and

Whereas, These young men are on an educational tour of the State Capitol; and

Whereas, Both of these Key Clubs are sponsored by the Kiwanis Club of Eastern Houston and are composed of outstanding young men in their respective high schools who are interested in learning more of their government in order to better equip themselves for future citizenship; and, now, therefore, be it

Resolved, By the Senate of the State of Texas, that this body acknowledge the presence of the Key Club of Milby High School and the Key Club of Stephen F. Austin High School, Houston, Texas, and welcome these young men, together with their sponsors, as guests of the Senate today.

The resolution was read and was adopted.

Senator Bracewell presented the members of the Key Clubs and their sponsors to the Members of the Senate.

House Bill 503 on Second Reading

On motion of Senator Parkhouse and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to third reading:

H. B. No. 503, A bill to be entitled "An Act constituting a local law for the maintenance of the public roads and highways in Dallas County by authorizing the County to issue certificates of indebtedness for the purpose of acquiring right of way for designated State Highways or Federal Highways when the acquisition of such right of way is approved by the State Highway Commission; requiring the levy of a tax to pay such certificates and the interest thereon; requiring such certificates to be approved by the Attorney General and registered by the Comptroller of Public Accounts and prescribing the ef-

fect thereof; enacting other provisions relating to the subject; and declaring an emergency."

The bill was read second time and passed to third reading.

House Bill 503 on Third Reading

Senator Parkhouse moved that the Constitutional rule requiring bills to be read on three several days be suspended and that House Bill No. 403 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—25

Aikin	Parkhouse
Ashley	Phillips
Bell	Rogers
Bracewell	of Childress
Colson	Rogers of Travis
Corbin	Russell
Fuller	Rutherford
Hazlewood	Sadler
Kazen	Secrest
Kelley	Shireman
Latimer	Strauss
Moffett	Wagonseller
Moore	Weinert

Nays—2

Hardeman	Martin
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Absent

Lock	Willis
McDonald	

Absent—Excused

Lane

The President pro tempore then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—24

Aikin	Phillips
Ashley	Rogers
Bell	of Childress
Bracewell	Rogers of Travis
Colson	Russell
Fuller	Rutherford
Hazlewood	Sadler
Kazen	Secrest
Kelley	Shireman
Latimer	Strauss
McDonald	Wagonseller
Moffett	Weinert
Parkhouse	

Nays—2

Hardeman	Martin
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Absent

Corbin	Moore
Lock	Willis

Absent—Excused

Lane

House Bill 23 on Second Reading

On motion of Senator Moffett and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to third reading:

H. B. No. 23, A bill to be entitled "An Act providing for the transfer of moneys now on deposit in the State Treasury to the credit of the following Special Revenue Funds and Special Fee Accounts: the Citrus Fruit Inspection Fund, the Pure Bred Cottonseed Inspection Fund, the 2-4-D License Fund, the Herbicide Fund, the Seed Laboratory Fee Account, the Nursery Inspection Fee Account, the Weights and Measures Fee Account, the Charter Filing Fee Account, the Anti-freeze Registration Fee Account and the Insecticide and Fungicide Fee Account, to a single fund in the State Treasury to be known as the Special Department of Agriculture Fund; etc., and declaring an emergency."

The bill was read second time.

Senator Moffett offered the following amendment to the bill:

Amend House Bill No. 23 by adding the words, "Texas Vegetable Certification Fund," after the words, "the Herbicide Fund," in Section One.

The amendment was adopted.

Senator Moffett offered the following amendment to the bill:

Amend House Bill No. 23 by deleting the words, "used shall remain in effect and be" from the second sentence of Section Seven.

The amendment was adopted.

On motion of Senator Moffett, and by unanimous consent, the caption was amended to conform to the body of the bill, as amended.

The bill, as amended, was passed to third reading.

House Bill 23 on Third Reading

Senator Moffett moved that the Constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 23 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—28

Aikin	Parkhouse
Ashley	Phillips
Bell	Rogers
Bracewell	of Childress
Colson	Rogers of Travis
Corbin	Russell
Fuller	Rutherford
Hardeman	Sadler
Hazlewood	Secrest
Kazen	Shireman
Kelley	Strauss
Latimer	Wagonseller
Martin	Weinert
McDonald	Willis
Moffett	

Absent

Lock Moore

Absent—Excused

Lane

The President pro tempore then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—28

Aikin	Parkhouse
Ashley	Phillips
Bell	Rogers
Bracewell	of Childress
Colson	Rogers of Travis
Corbin	Russell
Fuller	Rutherford
Hardeman	Sadler
Hazlewood	Secrest
Kazen	Shireman
Kelley	Strauss
Latimer	Wagonseller
Martin	Weinert
McDonald	Willis
Moffett	

Absent

Lock Moore

Absent—Excused

Lane

Adjournment

On motion of Senator Martin the Senate at 11:13 o'clock a. m. adjourned until 10:30 o'clock a. m. tomorrow.

FORTY-SIXTH DAY

(Thursday, April 9, 1953)

The Senate met at 10:30 o'clock a. m., pursuant to adjournment, and was called to order by the President pro tempore.

The roll was called and the following Senators were present:

Aikin	Moffett
Ashley	Parkhouse
Bell	Phillips
Bracewell	Rogers
Colson	of Childress
Corbin	Rogers of Travis
Fuller	Rutherford
Hardeman	Sadler
Hazlewood	Secrest
Kazen	Shireman
Kelley	Strauss
Lane	Wagonseller
Latimer	Weinert
Martin	Willis
McDonald	

Absent

Lock Russell

Absent—Excused

Moore

A quorum was announced present.

The Invocation was offered by the Reverend W. H. Townsend, Chaplain, as follows:

Our Father, thou hast told us: "He that is slow to anger is better than the mighty; and he that ruleth his spirit than he that taketh a city." In the quiet of this moment, we pray for a deeper knowledge of thy truth, for it is by thy truth that we are to find the true meaning of life, love and liberty. We pray in Christ's name. Amen.

On motion of Senator Aikin, and by unanimous consent, the reading of the Journal of the proceedings of yesterday was dispensed with and the Journal was approved.

Leave of Absence

Senator Moore was granted leave